



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

E-MANAGEMENT SOLUTIONS, INC.,

Plaintiff,

- against -

ENHANCE PLASTIC SURGERY MEDICAL
CLINIC,

Defendant.

Case No. 1:19-cv-08605-
AKH

So ordered
10-14-20
[Signature]

DEFENDANT'S MOTION FOR APPROVAL
TO SUBMIT REDACTED DOCUMENTS
AND DOCUMENTS UNDER SEAL

Defendant Enhance Plastic Surgery Medical Clinic ("Defendant" or "Enhance"), by its attorneys Lewis Brisbois Bisgaard & Smith LLP, submits this Motion to Submit Redacted Documents and Documents Under Seal:

1. Enhance respectfully submits its Motion for Approval to submit documents that are redacted and filed under seal pursuant to the Court's Local and Individual Rules of Civil Procedure, Practice No. 4(B)(ii) of Honorable A. Hellerstein's Individual Rules of the United States District Court.

2. The document Enhance seeks to submit under seal is a fully executed copy of the settlement agreement reached between the Parties in July, 2020, which was fully executed on July 30, 2020.

3. The settlement agreement contains information related to the amount for which Enhance was willing to compromise its counter-claims following this Court's entry of a preliminary injunction against Plaintiff E-management. The settlement agreement also contains additional considerations that Plaintiff E-Management made in exchange for Enhance's willingness to forego further prosecution of its claims against E-management, including adding Plaintiff's principle, Irene Gladstein, M.D.

4. Enhance regularly engages in cease and desist negotiations and other procedures in federal courts and before the United States Trademark Trial and Appeal Board to enforce its exclusive rights to practice its valuable trademarks. Although each such enforcement effort is in some ways unique and must be valued on its own merits disclosure of the terms under which Enhance settled the instant action would undoubtedly be used as an attempted leverage point against Enhance were the settlement agreement to be filed publicly.

5. Public disclosure of the settlement agreement is not necessary for resolution of the notice of motion and supporting memorandum of law. Enhance seeks to redact only those portions of the Memorandum in Support of Enforcement of the Settlement Agreement as are necessary to protect the essential terms of the settlement agreement. The negotiations and colloquy between counsel, as well as

Enhance's claims that Plaintiff and its principle hav not met their obligations under the settlement agreement need not be redacted from the memorandum.

6. Pursuant to Judge Hellerstein's individual practice Rule 4(B)(ii), this motion is filed in public view; with the redacted memorandum of law filed publicly with proposed redactions and under seal a copy unredacted with redactions highlighted, and; a sealed copy of the settlement agreement.

WHEREFORE, for the foregoing reasons, Enhance respectfully requests permission to file those documents referenced above as redacted and under seal, respectively.

DATED: October 9, 2020

LEWIS BRISBOIS BISGAARD & SMITH LLP

s/ Donald E. Lake, III

Donald E. Lake, III

Attorneys for Defendant

Admitted Pro Hac Vice

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CERTIFICATE OF SERVICE

I certify that on this 9th day of October, 2020, the foregoing was filed with the Court, using the CM/ECF system, and was delivered by Federal Express, e-mail, and United States Postal Service to:

TO: Irene Gladstein, M.D.
E-Management Solutions, Inc.
2076 East 13th Street
Brooklyn, New York 11229
ireneglad@icloud.com

/s/Donald E. Lake, III